

REMARKS

Applicants wish to thank the Examiner, as well as Supervisory Patent Examiner Cecilia Tsang, for the courteous and helpful interview conducted on April 3, 2008. The present amendment was prepared based on the discussion at the interview to expedite allowance of the application.

Upon entry of the foregoing amendment, claims 1-13 and 18-22 are pending for the Examiner's consideration, with claim 1 being the only independent claim. Claims 18 and 19 are withdrawn. Claims 14-17 are cancelled without prejudice to or disclaimer of the subject matter contained therein. Claim 1 has been amended herein to recite the transitional phrase "consisting of" as discussed during the April 3, 2008 interview. Dependent claims 20-22 have been added. Claim 19 has been amended to depend from new claim 22, rather than from cancelled claim 14. Applicants respectfully submit that the foregoing amendments introduce no new matter. In this regard, the Examiner is referred to, for example, page 6, line 12 through page 7, line 14 of the application as originally filed.

Rejection Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,834,428 in view of U.S. Patent No. 5,385,887 and U.S. Patent No. 5,578,567. Independent claim 1 has been amended herein to recite the transitional phrase "consisting of." As noted in the Interview Summary dated April 3, 2008, such an amendment overcomes the § 103(a) rejection as to independent claim 1, and, therefore, as well as to all the more narrow claims depending therefrom.

Obviousness-Type Double Patenting Rejection

The Examiner has rejected claims 1-13 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-32 of U.S. Patent No. 7,164,005 in view of U.S. Patent No. 5,385,887 and U.S. Patent No. 5,578,567. Independent claim 1 has been amended herein to recite the transitional phrase "consisting of." As noted in the Interview Summary dated April 3, 2008, such an amendment overcomes the obviousness-type double

patenting rejection as to independent claim 1, and, therefore, as well as to all the more narrow claims depending therefrom.

Rejoinder of Withdrawn Method Claims

Method claims 18 and 19 were withdrawn in the Office Action dated December 12, 2006. Withdrawn method claims 18 and 19 depend directly or indirectly from claim 1. As all of the rejections to independent claim 1 have been overcome, claim 1 appears in condition for allowance. As discussed during the April 3, 2008 interview, upon the allowance of product claim 1, dependent claims 18 and 19 are eligible for rejoinder, and allowance. Applicants respectfully request the Examiner to rejoin claims 18 and 19, and submit that these claims are patentable for at least the same reasons as allowable independent claim 1.

Other Matters

As discussed during the April 3, 2008 interview, an Information Disclosure Statement was filed on May 25, 2007, the receipt of which was acknowledged by the U.S. Patent and Trademark Office as evidenced by the copy of the date-stamped postcard filed herewith. Applicants respectfully request the Examiner to initial the Form Used In Lieu of PTO/SB/08A/B to evidence consideration of the cited documents, a duplicate copy of which is filed herewith.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: April 24, 2008

Respectfully submitted,

By


Andrea G. Reister

Registration No.: 36,253

COVINGTON & BURLING LLP

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

Attorney for Applicant